

RADER,**FISHMAN****& GRAUER****PLLC**

*Worldwide Intellectual Property Matters • Patents • Trademarks
Litigation • Copyrights • U.S. and Foreign Portfolio Management
Computer and Internet Law • Trade Secrets • Unfair Competition*

**RECEIVED
CENTRAL FAX CENTER**

JAN 24 2006

To: Examiner Dana D. Greene**From:** Steven L. Nichols**Fax:** (571) 273-8300**Pages:** 19 including coversheet**Phone:****Date:** January 24, 2006**Re:** Amendment - Application No. 10/731,551

☒ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

**This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service.
Thank you.**

● **Transmitted, herewith, are the following documents:**

1. Facsimile Coversheet (1 page)
2. Certificate of Transmission (1 page)
3. Transmittal Letter for Response/Amendment with duplicate copy (2 pages)
4. Amendment (15 pages)

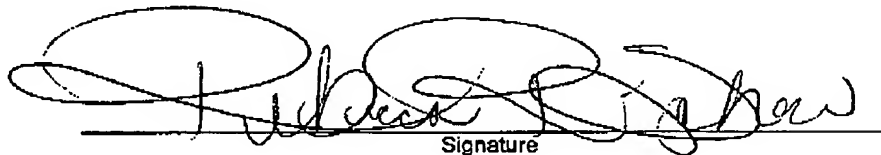
Application No.: 10/731,551

Attorney Docket No.: AB-308U

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to Examiner Dana D. Greene via the USPTO central facsimile number, (571) 273-8300.

on January 24, 2006
Date



Signature

Rebecca R. Schow

Typed or printed name of person signing Certificate

Transmitted, herewith, are the following documents:

1. Facsimile Coversheet (1 page)
2. Certificate of Transmission (1 page)
3. Transmittal Letter for Response/Amendment with duplicate copy (2 pages)
4. Amendment (15 pages)

AB-308U

Serial No.: 10/731,551

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Todd K. Whitehurst et al.

Application No.: 10/731,551

Filed: December 8, 2003

Title: Fully Implantable Miniature Neurostimulation
for Intercostal Nerve as a Therapy for Angina
Pectoris"

Examiner: GREENE, Dana D.

Group Art Unit: 3762

Confirmation No.: 4571

RECEIVED
CENTRAL FAX CENTER
JAN 24 2006Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:


- (X) Response/Amendment () Petition to extend time to respond
 () New fee as calculated below () Supplemental Declaration
 (X) No additional fee () Other: _____

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	28	MINUS	28	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	4	MINUS	4	= 0	X \$200.00	\$0.00
[] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$360.00	\$
EXTENSION FEE	[] 1ST MONTH \$120.00	[] 2ND MONTH \$450.00	[] 3RD MONTH \$1020.00	[] 4TH MONTH \$1590.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge \$0.00 to Deposit Account 18-0013/40328-0050. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/40328-0050 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/40328-0050 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being
transmitted to the US Patent and Trademark
Office via facsimile number
(571) 273-8300 on January 24, 2006

Number of pages transmitted: 19

Signature: 
Rebecca R. Schow

Respectfully submitted,

By: 

Steven L. Nichols (Reg. No.: 40,326)
Attorney/Agent for Applicant(s)
Telephone No.: (801) 572-8066
Date: January 24, 2006

AB-308U

Serial No.: 10/731,551

DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Todd K. Whitehurst et al.

Application No.: 10/731,551

Filed: December 8, 2003

Title: Fully Implantable Miniature Neurostimulation for Intercostal Nerve as a Therapy for Angina Pectoris"

Examiner: GREENE, Dana D.

Group Art Unit: 3762

Confirmation No.: 4571

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee () Other: _____

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	28	MINUS	28	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	4	MINUS	4	= 0	X \$200.00	\$0.00
[] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$360.00	\$
EXTENSION FEE	[] 1ST MONTH \$120.00	[] 2ND MONTH \$450.00	[] 3RD MONTH \$1020.00	[] 4TH MONTH \$1590.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge \$0.00 to Deposit Account 18-0013/40328-0050. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/40328-0050 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/40328-0050 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office via facsimile number
(571) 273-8300 on January 24, 2006

Number of pages transmitted: 19

Signature: Rebecca R. Schow
Rebecca R. Schow

Respectfully submitted,

By: Steven L. Nichols
Steven L. Nichols (Reg. No.: 40,326)
 Attorney/Agent for Applicant(s)
 Telephone No.: (801) 572-8066
 Date: January 24, 2006

AB-308U

RECEIVED
CENTRAL FAX CENTER
JAN 24 2006

10/731,551

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Todd K. Whitehurst et al.

Application No. 10/731,551

Filed: December 8, 2003

For: Fully Implantable Miniature
Neurostimulator for Intercostal
Nerve Stimulation as a Therapy
for Angina Pectoris

Group Art Unit: 3762

Examiner: GREENE, Dana D.

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the non-final Official Action mailed on **October 24, 2005**, please
amend the above-identified application as follows: